

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

PATRICK LEE ADAMS,)	
)	
Plaintiff,)	
)	
v.)	No. CIV-23-833-R
)	
GRADY COUNTY SHERIFF et al.,)	
)	
Defendants.)	

ORDER

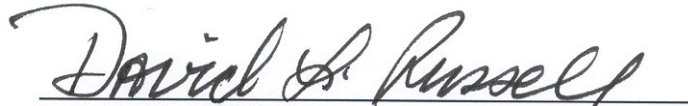
Before the Court is United Stated Magistrate Judge Shon T. Erwin’s Report and Recommendation [Doc. 17] to dismiss Mr. Adams’ Amended Complaint [Doc. 15]. Mr. Adams filed a timely Objection [Doc. 18], and the Court now considers the matter *de novo*. Finding the Recommendation sound and Mr. Adams’ Objection devoid of substantive responses to the issues identified in Magistrate Judge Erwin’s report, the Court ADOPTS the Recommendation in its entirety.

Mr. Adams’ allegations against Defendants are fundamentally flawed. As discussed in depth in the Report and Recommendation, Mr. Adams’ Complaint does not plausibly allege claims against any of the Defendants. The Grady County Sheriff’s Office is an entity incapable of being sued under 42 U.S.C. § 1983. *See Aston v. Cunningham*, 2000 WL 796086 at *4 n.3 (10th Cir. 2000). Mr. Adams’ Complaint does not plausibly allege his injuries are due to constitutional violations committed pursuant to an official policy or custom of a municipality. Such allegations would be required to sustain his claims against the Grady County Commissioners and Turn Key Health. *See Monell v. Dep’t of Soc. Servs.*,

436 U.S 658, 694 (1978); *Dubbs v. Head Start, Inc.*, 336 F.3d 1194, 1216 (10th Cir. 2003). Finally, Mr. Adams does not allege his injuries are caused by the individual actions of the Grady County Jail Administrator. *See Grimsley v. MacKay*, 93 F.3d 676, 679 (10th Cir. 1996). Mr. Adams' Objection is brief and does not address the above issues.

Accordingly, Plaintiff Adams' claim against the Grady County Sheriff's Office is DISMISSED WITH PREJUDICE. Plaintiff Adams' claims against the Grady County Jail Administrator, the Grady County Commissioners, and Turn Key Health are DISMISSED WITHOUT PREJUDICE. Plaintiff's request for appointed counsel is likewise DENIED as moot.

IT IS SO ORDERED this 19th day of January 2024.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE